

Environmental Protection Agency

§ 86.1001–84

(2) If the manufacturer does not receive a certificate of conformity with the LEV, ILEV, ULEV, or ZEV emissions standards in 40 CFR part 88 as required in paragraph (d)(1)(iii) of this section, the fee requirements of this section will apply. Before any certificate can be issued, the applicable fee must be paid.

(3) Manufacturers that have paid certification fees for model year 2000 vehicle and engine families that meet the criteria in paragraph (d)(1) of this section may request a refund of such fees. EPA shall refund such fees if it determines that the vehicle or engine family meets the criteria of paragraph (d)(1) of this section.

[57 FR 30055, July 7, 1992, as amended at 65 FR 11904, Mar. 7, 2000]

EFFECTIVE DATE NOTE: At 69 FR 26252, May 11, 2004, § 86.908–93 was amended by revising paragraph (a)(1)(iii), effective July 12, 2004. For the convenience of the user the revised text is set forth as follows:

§ 86.908–93 Waivers and refunds.

(a) * * *

(1) * * *

(iii) For converted vehicles that are dual- or flexible-fuel vehicles and can operate on a gaseous fuel, the full fee for a certification request for a MY exceeds 1% of the value added to the vehicle by the conversion, for MY 2000 through July 12, 2004.

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§ 86.909–93 Payment.

(a) All fees required by this section shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable in U.S. dollars to the order of the Environmental Protection Agency.

(b) All fees shall be forwarded with the filing form to the EPA to the address designated on the filing form.

(c) An application for which a partial waiver of the fee has been requested will not be accepted for processing until the appropriate fee has been determined and the balance waived or, if the waiver has been denied, the proper fee is submitted after notice of denial.

§ 86.910–93 Deficiencies.

(a) Any filing pursuant to § 86.909 of this subpart that is not accompanied

by the appropriate filing fee is deficient.

(b) The Administrator will inform any person who submits a deficient filing that:

(1) Such filing will be rejected and the amount paid refunded, unless the appropriate fee is submitted within a specified time;

(2) EPA will not process any filing that is deficient under this section; and

(3) The date of filing will be deemed the date on which EPA receives the appropriate fee.

§ 86.911–93 Adjustments of fees.

(a) The fee schedule will be changed annually by the same percentage as the percent change in the CPI for all urban consumers.

(b) This annual change will occur within 60 days following release of the final estimates of the annual average for the CPI for all urban consumers by the Department of Labor.

(c) MVECP costs and fees will periodically be reviewed and changes will be made to the schedule as necessary.

(d) When automatic adjustments are made, based on the CPI, the new fee will be published in the FEDERAL REGISTER as a final rule to become effective 30 days or more after publication, as specified in the final rule.

(e) When changes are made based on periodic reviews, the changes will be subject to public comment.

Subpart K—Selective Enforcement Auditing of New Heavy-Duty Engines, Heavy-Duty Vehicles, and Light-Duty Trucks

SOURCE: 45 FR 63772, Sept. 25, 1980, unless otherwise noted.

§ 86.1001–84 Applicability.

The provisions of this subpart are applicable for 1984 and later model year heavy-duty engines and light-duty trucks.

(a) *Section numbering; construction.* (1) The model year of initial applicability is indicated by the two digits following the hyphen of the section number. A section remains in effect for subsequent model years until it is superseded.